

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: § Attorney Docket No. 31132.121  
Eisermann et al. §  
§ Group Art Unit: 3733  
Serial No. 10/774135 §  
§ Confirmation No. 8402  
Filed: February 6, 2004 §  
§  
For: ARTICULAR DISC PROSTHESIS § Examiner: David C. Comstock  
AND METHOD FOR TREATING §  
Spondylolisthesis §

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

**Mail Stop Amendment**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

No fees, including extension of time fees, are believed necessary for consideration of the present paper. However, if any fees, including extension of time fees, are necessary, the extension of time is hereby requested, and the Commissioner is hereby authorized to charge any fees, including those for the extension of time, to Haynes and Boone, LLP's Deposit Account No. 08-1394.

In response to the Office Action mailed January 18, 2007, applicants elect species VI of Figs. 14-19, as designated by the Examiner. At least claims 1-10, 13-30, and 37-39 are readable upon the elected species. At least some of claims 1-10, 13-30, and 37-39 are generic in that the claims read on the elected species and at least one other species.

**Amendments to the Claims** are reflected in the Listing of Claims that begins on page 2 of this Amendment.

**Remarks** begin on page 8 of this Amendment.